

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

|   |   |                     |
|---|---|---------------------|
| <b>KONSTANTINOS APOSTOLOU</b><br><i>Plaintiff</i> | : | <b>CIVIL ACTION</b> |
|   | : |                     |
|   | : |                     |
| <b>v.</b>   | : | <b>NO. 16-4812</b>  |
|   | : |                     |
| <b>CITY OF PHILADELPHIA</b><br><i>Defendant</i>   | : |                     |
|   | : |                     |

**ORDER**

**AND NOW**, this 31<sup>st</sup> day of July 2019, upon consideration of Defendant's *motion in limine to exclude non-relevant evidence*, [ECF 70], and Plaintiff's response in opposition thereto, [ECF 76], it is hereby **ORDERED** that the motion is **GRANTED**, *in part*, and Plaintiff is precluded from introducing or referencing the following evidence at trial in this matter:

1. By agreement, testimony by or reference to Andre Boyer;
2. Any social media posts by Sgt. Jay McLain; and
3. Plaintiff's good deeds, achievements, certificates, or letters of commendation after October 31, 2016.

However, the motion is **DENIED** as to Defendant's request to preclude Plaintiff from introducing evidence or referencing the following evidence at trial:

1. The lawsuit filed by Sgt. Jay McLain against Plaintiff, Defendant, and others, Case No. 180602643 in the First Judicial District of Pennsylvania; and
2. Allegations of workplace misconduct by Sgt. Jay McLain other than those made by Plaintiff prior to October 31, 2016.

It is further **ORDERED** that Plaintiff's request for oral argument on the motion is **DENIED**.

**BY THE COURT:**

/s/ Nitza I. Quiñones Alejandro  
**NITZA I. QUIÑONES ALEJANDRO**  
*Judge, United States District Court*